

Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611



Regular Board Meeting Minutes

Thursday, March 21, 2013

12:00 PM

**The time of the Regular Board Meeting for Thursday, March 21, 2013
at 10 a.m. has been rescheduled to start at noon on Thursday,
March 21, 2013.
Board Room**

Board of Commissioners

Commissioner Michael A. Alvarez, Commissioner Frank Avila, Vice-President Barbara J. McGowan, Commissioner Cynthia M. Santos, Commissioner Debra Shore, Chairman of Finance Mariyana T. Spyropoulos, Commissioner Kari K. Steele, Commissioner Patrick D. Thompson, President Kathleen Therese Meany

THE FOLLOWING PROCEDURES WILL GOVERN THE MEETING PROCESS:

- 1. Board Members who vote "Nay, Present, or Abstain" or have a question on any item may request the item be removed from the Consent Agenda.**
- 2. Citizens in the audience who address the Board on any item may request the item be removed from the Consent Agenda.**
- 3. Items removed from the Consent Agenda are considered separately.**
- 4. One roll call vote is taken to cover all Consent Agenda Items.**

Call Meeting to Order

President Kathleen Therese Meany presiding, called the meeting to order at 12:00 p.m.

Roll Call

Present: 9 - Michael A. Alvarez; Frank Avila; Barbara J. McGowan; Cynthia M. Santos; Debra Shore; Mariyana T. Spyropoulos; Kari K. Steele; Patrick D. Thompson; and Kathleen Therese Meany

Approval of Previous Board Meeting Minutes

A motion was made by Cynthia M. Santos, seconded by Patrick D. Thompson, that the minutes from the last meeting be approved without having to read them into the record. The motion carried by acclamation. Chorus of ayes - No nays

Recess and Reconvene as Committee of the Whole

A motion was made by Cynthia M. Santos, seconded by Mariyana T. Spyropoulos, to recess and reconvene as a committee of the whole. The motion carried by acclamation. Chorus of Ayes - No Nays

Recess and Reconvene as Board of Commissioners

At 2:10 p.m. President Kathleen Therese Meany reconvened the regular board meeting to order

Finance Committee

Report

- 1 [13-0217](#) Report on the investment interest income during January 2013

 Attachments: [Inv Int Inc 2013-01 att.pdf](#)

 Published and Filed
- 2 [13-0218](#) Report on the investment interest income during February 2013

 Attachments: [Inv Int Inc 2013-02 att.pdf](#)

 Published and Filed

- 3 [13-0219](#) Report on investments purchased during January 2013

Attachments: [Inv Purch 2013-01 att.pdf](#)

Published and Filed

- 4 [13-0220](#) Report on investments purchased during February 2013

Attachments: [Inv Purch 2013-02 att.pdf](#)

Published and Filed

Procurement Committee

Report

- 5 [13-0247](#) Report on advertisement of Request for Proposal 13-RFP-08, Economic Advisor for Renewable Energy Projects, estimated cost \$90,000.00, Account 201-50000-601170, Requisition 1358207 (*As Revised*)

Published and Filed

Authorization

- 6 [13-0249](#) Authorization to accept initial annual rental bid of \$68,501.00 from and enter into a lease with the Wilmette Harbor Association for a 39-year term on 6.19 acres of District real estate, including the Wilmette Harbor, located at 20 Harbor Drive in Wilmette, Illinois; North Shore Channel Parcels 1.02, 1.03 & 1.04, Lease Number 12-370-11 (*Deferred from March 7, 2013 Board Meeting*)

Attachments: [03-21-13 WHA.pdf](#)

A motion was made by Cynthia M. Santos, seconded by Michael A. Alvarez, that this Agenda Item be Deferred. The motion carried by the following roll call vote:

Aye: 9 - Michael A. Alvarez, Frank Avila, Barbara J. McGowan, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Kari K. Steele, Patrick D. Thompson, Kathleen Therese Meany

Authority to Advertise

- 7 [13-0230](#) Authority to advertise Contract 13-004-11 Furnish and Deliver Structural and Stainless Steel to Various Locations for a One (1) Year Period, estimated cost \$180,000.00, Account 101-20000-623030

Approved

- 8 [13-0231](#) Authority to advertise Contract 13-017-11 Furnish and Deliver Electrical Supplies and Wire to Various Locations for a One (1) Year Period, estimated cost \$145,000.00, Account 101-20000-623070
Approved
- 9 [13-0256](#) Authority to advertise Contract 13-106-11 to Furnish and Deliver Phosphorous Removal Monitoring Equipment, estimated cost \$85,000.00, Account 201-50000-634650, Requisition 1353151
Approved
- 10 [13-0258](#) Authority to advertise Contract 13-604-21 Furnish, Deliver and Install Security Cameras at the Lockport Powerhouse, estimated cost \$77,661.00, Account 201-50000-645720, Requisition 1357596
Approved
- 11 [13-0265](#) Authority to advertise Contract 13-006-11 Furnish and Deliver Janitorial Supplies to Various Locations for a One-Year Period, estimated cost \$71,000.00, Accounts 101-20000-623110, 623170, 623660
Approved
- 12 [13-0266](#) Authority to advertise Contract 13-031-11 Furnish and Deliver Medical and First Aid Supplies to Various Locations for a One-Year Period, estimated cost \$29,000.00, Account 101-20000-623780 (*As Revised*)
Approved

Issue Purchase Order

- 13 [13-0233](#) Issue a purchase order to the Lake Forest Graduate School of Management, pursuant to the Terms of Master Agreement 11-RFP-12, to provide a Manager Development Program, in a total amount not to exceed \$164,500.00, Account 101-25000-601170, Requisition 1358221
Approved
- 14 [13-0236](#) Issue Purchase Orders to Graybar Electric Company, Inc., to Furnish and Deliver Electrical Catalog Products, under the U.S. Communities Cooperative Purchasing Contract #MA-IS-1340234, in an amount not to exceed \$80,000.00, Accounts 101-15000, 27000, 66000, 67000, 68000, 69000-623070, and 623850, Requisitions 1358192, 1358200, 1358215, 1357938, 1357939 and 1357922
Approved

- 15 [13-0237](#) Issue purchase order to Walker Process Equipment, to Furnish and Deliver Replacement Parts for the Secondary Tank Drives at the Calumet Water Reclamation Plant, in an amount not to exceed \$60,000.00, Account 101-68000-623270, Requisition 1351239

 Approved
- 16 [13-0238](#) Issue purchase orders to Peterson and Matz, Inc., to Furnish and Deliver Replacement Parts for Pumps and Equipment at the Stickney and Egan Water Reclamation Plants, in an amount not to exceed \$138,000.00, Accounts 101-67000, 69000-623270, Requisitions 1350801, 1350844 and 1353144

 Approved
- 17 [13-0246](#) Issue purchase order to Bloomberg Finance L.P. for the ongoing Maintenance and Provision of a Real-Time Financial Information Network, Providing News, Data, Analysis, Straight-Through Processing, and Electronic Trading Tools, in an amount not to exceed \$99,500.00 for a three-year period, Account 101-11000-612280, Requisition 1358238

 Approved
- 18 [13-0254](#) Issue purchase order and enter into an agreement with Agilent Technologies, Inc., to Furnish, Deliver and Install a Gas Chromatograph and Mass Spectrometer, in an amount not to exceed \$70,135.25, Account 101-16000-634970, Requisition 1356597

 Approved
- 19 [13-0255](#) Issue purchase order and enter into an agreement with YSI Incorporated, for Preventive Maintenance of YSI Water Quality Instruments, in an amount not to exceed \$48,000.00, Account 101-16000-612970, Requisition 1357597

 Approved
- 20 [13-0264](#) Issue purchase order for Contract 13-104-11, Furnish and Deliver Contract Laboratory Technicians for Various Locations, to ANA Laboratories, Inc., in an amount not to exceed \$162,150.00, Account 101-16000-612490, Requisition 1342916

 Approved
- 21 [13-0267](#) Issue purchase order and enter into an agreement with Oracle America, Inc. for the maintenance, support and acquisition of miscellaneous parts for the District's SAP Enterprise Servers, GIS Systems, the Laboratory Information Management System (LIMS), and the disaster recovery servers for a period of seventeen (17) months with option to extend for (4) additional one-year terms, in an amount not to exceed \$357,248.17, Accounts 101-27000-601170, 612810, 612820, 634810, Requisition 1358220

 A motion was made by Debra Shore, seconded by Barbara J. McGowan, that this Agenda Item be Approved. The motion carried by the following roll call vote:

Aye: 8 - Frank Avila, Barbara J. McGowan, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Kari K. Steele, Patrick D. Thompson, Kathleen Therese Meany

Abstain: 1 - Michael A. Alvarez

- 22 [13-0271](#) Issue purchase orders to LAI, LTD., to Furnish and Deliver Process Equipment Parts to Various Locations, in an amount not to exceed \$802,000.00, Accounts 101, 201-50000, 67000, 68000, 69000-623070, 623090, 623270, 623780, and 634650, Requisitions 1347565, 1347566, 1349963, 1349964, 1352403, 1352405, 1352795, 1353117, 1350863, 1351597, 1351237, 1352048, 1353146 and 1353540

Approved

Award Contract

- 23 [13-0240](#) Authority to award Contract 13-027-12 (Re-Bid), Furnish and Deliver Glass and Plastic Labware to Various Locations for a One (1) Year Period, Group B to A. Daigger & Company, Inc., in an amount not to exceed \$13,560.02, and Group D to Fisher Scientific Company LLC, in an amount not to exceed \$23,294.00, Account 101-20000-623570

Approved

- 24 [13-0242](#) Authority to award Contract 13-028-11, Furnish and Deliver Miscellaneous Laboratory Supplies to Various Locations for a One (1) Year Period, Group A, to A. Daigger & Company Inc., in an amount not to exceed \$49,481.60, and Group B, to Thomas Scientific Inc., for in an amount not to exceed \$8,442.95, Account 101-20000-623570

Approved

Increase Purchase Order/Change Order

- 25 [13-0232](#) Authority to decrease Contract 10-612-11 Services of Street Sweepers at Various Service Areas, to Gosia Cartage LTD, in an amount of \$10,298.75 from an amount of \$191,912.00 to an amount not to exceed \$181,613.25, Account 101-69000-612420, Purchase Order 5001129

Attachments: [10-612-11 030713.pdf](#)

Approved

- 26 [13-0243](#) Authority to increase Contract 11-626-11, Security Services at the Lockport Powerhouse, to Universal Security, Corp., in an amount of \$50,000.00, from an amount of \$219,204.98, to an amount not to exceed \$269,204.98, Account 101-66000-612490, Purchase Order 5001235

Approved

- 27 [13-0245](#) Authority to decrease purchase order to Hewlett-Packard Company to furnish and deliver new and replacement computer hardware and software in an amount of \$202,638.81, from an amount of \$3,100,000.00 to an amount not to exceed \$2,897,361.19. Accounts 101-27000-623810, 634810, Purchase Order 3061831.

Approved

- 28 [13-0260](#) Authority to decrease Contract 09-365-5F Heritage Park Flood Control Facility, to F.H. Paschen/Lake County Grading, A Joint Venture in an amount of \$100,000.00, from an amount of \$29,475,000.00, to an amount not to exceed \$29,375,000.00, Account 501-50000-645620, Purchase Order 5001339

Approved

- 29 [13-0261](#) Authority to increase Contract 09-176-3P Sludge Thickening Facilities, Stickney Water Reclamation Plant, to McHugh Construction, in an amount of \$24,452.40 from an amount of \$165,330,593.71, to an amount not to exceed \$165,355,046.11, Account 401-50000-645650, Purchase Order 5001115

Attachments: [CO 09-176-3P.pdf](#)

Approved

- 30 [13-0262](#) Authority to increase Contract 06-363-3D Gloria Alitto Majewski Reservoir Repair and Rehabilitation, North Service Area, to IHC Construction Companies, LLC in an amount of \$24,507.00, from an amount of \$5,699,419.00, to an amount not to exceed \$5,723,926.00, Account 401-50000-645720, Purchase Order 5001286

Attachments: [CO 06-363-3D.pdf](#)

Approved

- 31 [13-0263](#) Authority to increase Contract 06-023-3P Stop Logs and Diversion Pumps at Wilmette Pump Station and Evanston Pump Station Rehabilitation, North Service Area, to F.H. Paschen/S.N. Nielsen, in an amount of \$28,860.00, from an amount of \$17,622,512.68, to an amount not to exceed \$17,651,372.68, Accounts 101-50000-612620, 401-50000-645620 and 645720, Purchase Order 5001266

Attachments: [CO 06-023-3P.pdf](#)

Approved

- 32 [13-0269](#) Authority to increase purchase order and amend the joint funding agreement with the United States Department of the Interior - U.S. Geological Survey for the maintenance and operation of eight streamflow gage stations and one rainfall gage within Cook County, Illinois, in an amount of \$29,250.00, from an amount of \$70,985.00, to an amount not to exceed \$100,235.00, Accounts 501-50000-612490 and 201-50000-601170, Purchase Order 3073997

Approved

Engineering Committee

Report

- 33 [13-0223](#) Report on change orders authorized and approved by the Director of Engineering during the month of February 2013

Attachments: [CO February.pdf](#)
 [CO Status.pdf](#)

Published and Filed

- 34 [13-0224](#) Report on the status of the agreement entered into between the District and Hanson Material Service for the mining of the required "Rough Hole" for the Thornton Composite Reservoir

Attachments: [HMS, Attachment A.pdf](#)
 [HMS, Attachment B.pdf](#)

Published and Filed

Authorization

- 35 [13-0228](#) Request for authority to negotiate and execute a service agreement between the Village of Hoffman Estates (Village) and the Metropolitan Water Reclamation District (District) for an area lying outside the District but within Cook County, Willow Creek Community Church

Attachments: [Exhibit A, Service Agreement.pdf](#)

Approved

- 36 [13-0270](#) Request for Orders adopting Hearing Officer's Findings of Fact, Conclusions of Law, and Recommended Fine to the Board of Commissioners for the Show Cause Complaint for the violation of the Metropolitan Water Reclamation District Sewer Permit Ordinance and Manual of Procedures in the matter of Metropolitan Water Reclamation District of Greater Chicago v. Village of Orland Park, Violation Complaint No. 08-048-VC, Permit Nos. 84-0071, 78-0744 and 78-1201.

Attachments: [final order.PDF](#)

Approved

Judiciary Committee

Report

- 37 [13-0210](#) Report on the Release of Executive Session Transcripts
- Published and Filed**
- 38 [13-0215](#) Report on the Settlement of Workers' Compensation Claims and Miscellaneous Claims under \$10,000.00

Attachments: [Settlements 3.21.13.pdf](#)

Published and Filed

Authorization

- 39 [13-0211](#) Authority to settle the Workers' Compensation claims of David Garza vs. MWRDGC, Case Nos. 10 WC 6593 and 12 WC 19783, Illinois Workers' Compensation Commission (IWCC), in the sum of \$57,026.20. Account 901-30000-601090
- Approved**
- 40 [13-0212](#) Authority to settle the Workers' Compensation claim of Jeffrey Mitchell vs. MWRDGC, Claim No. 0200004417, Illinois Workers' Compensation Commission (IWCC), in the sum of \$55,504.12. Account 901-30000-601090
- Approved**
- 41 [13-0222](#) Authority to settle Ebro Foods, Inc.'s delinquent User Charges and to execute such documents as may be necessary to effectuate settlement
- Approved**

- 42 [13-0226](#) Authority to settle the Catholic Bishop of Chicago's delinquent User Charges and to execute such documents as may be necessary to effectuate settlement

Deleted by the Executive Director

- 43 [13-0272](#) Authority to settle Village of Bridgeview/Toyota Park's 2007-2010 User Charge liability in the total amount of \$93,421.15, with a waiver of penalty in the amount of \$20,160.72, Board Appeal No. 12B-001

Approved

Pension, Human Resources & Civil Service Committee

Authorization

- 44 [13-0214](#) Authorization for lunch and a boat trip for the winners of the Chicago Public Schools' and non-public schools' Science Fairs at a cost not to exceed \$6,000.00, Accounts 101-25000-612330 and 612490

Approved

- 45 [13-0221](#) Authorization to implement Step Therapy and Prior Authorization programs related to prescription drug benefits for non-represented employees and retirees

Approved

Real Estate Development Committee

Authorization

- 46 [13-0225](#) Authority to issue a one (1)-year permit to the Illinois State Toll Highway Authority for access to Metropolitan Water Reclamation District of Greater Chicago sites, 2 at the Majewski Reservoir and 1 at Majewski Park, to perform geotechnical investigations and environmental testing in connection with the construction of the Elgin-O'Hare Western Access Project. Consideration shall be a nominal fee of \$10.00

Attachments: [Attachment to Issue permit ISTHA 3.21.13.pdf](#)

Approved

- 47 [13-0250](#) Authority to grant a 25-year 4,340± sq. ft. easement to the City of Evanston on a portion of North Shore Channel Parcel 3.07 and a portion of property along the south side of Bridge Street spanning the North Shore Channel to construct, maintain, operate and repair a bike path as part of the Bridge Street bridge rehabilitation and widening project. Consideration shall be a nominal fee of \$10.00

Attachments: [03-21-13 City of Evanston.pdf](#)

Approved

- 48 [13-0252](#) Authority to issue an 8-month permit extension to Owens Corning Roofing & Asphalt, LLC for the continued use of approximately 0.70 acres of District real estate located near 7800 West 59th Street in Summit, Illinois; eastern part of Main Channel Parcel 34.02. Consideration shall be \$5,734.00

Attachments: [03-21-13 Owens Corning Roofing & Asphalt LLC.pdf](#)

Approved

Miscellaneous and New Business

Motion

- 49 [13-0235](#) MOTION to approve funds for District-wide celebrations

A motion was made by Debra Shore, seconded by Cynthia M. Santos, that this Motion be Adopted. The motion carried by the following roll call vote:

Aye: 9 - Michael A. Alvarez, Frank Avila, Barbara J. McGowan, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Kari K. Steele, Patrick D. Thompson, Kathleen Therese Meany

Resolution

- 50 [13-0157](#) RESOLUTION sponsored by the Board of Commissioners recognizing the Hispanic American Construction Industry Association's 34th Annual Awards Banquet

A motion was made by Frank Avila, seconded by Barbara J. McGowan, that this Resolution be Adopted. The motion carried by acclamation. Chorus of ayes - No nays

- 51 [13-0213](#) RESOLUTION sponsored by the Board of Commissioners wishing the Irish American Heritage Center a happy St. Patrick's Day

Adopted

Ordinance - Right of Way

- 52 [R13-001](#) Adopt Ordinance No. R13-001 Establishing the Right-of-Way for the Construction, Operation and Maintenance of the Tinley Creek Flood Control/Streambank Stabilization Project (TICR-5) between Lake Lorin and 88th Avenue in Orland Hills and Orland Park in parts of Section 22, Township 36 N, Range 12, East of the Third Principal Meridian, Cook County, Illinois

Attachments: [Authority to Adopt Ordinance R13-001 3.21.13.pdf](#)
[Ordinance R13-001 TICR-5 3.21.13.pdf](#)
[Ex. A Right-of-Way & Map 3.21.13 R13-001.pdf](#)

A motion was made by Barbara J. McGowan, seconded by Frank Avila, that this Right of Way Ordinance be Adopted. The motion carried by acclamation. Chorus of ayes - No nays

Aye: 9 - Michael A. Alvarez, Frank Avila, Barbara J. McGowan, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Kari K. Steele, Patrick D. Thompson, Kathleen Therese Meany

Additional Agenda Items

- 53 [13-0273](#) Issue purchase order and enter into an agreement for Contract 12-RFP-32 (Re-Bid) Point to Point Communication Services, with AT&T Corp. in an amount not to exceed \$1,522,690.00, Accounts 101-27000/66000/67000/68000/69000-612210, Requisitions 1349245, 1357362
- Approved**
- 54 [13-0274](#) RESOLUTION sponsored by the Board of Commissioners recognizing St. Paul of the Cross School as First Place Winner of the Chicago Regional Future City Competition
- A motion was made by Frank Avila, seconded by Mariyana T. Spyropoulos, that this Resolution be Adopted. The motion carried by acclamation. Chorus of ayes - No nays**
- 55 [13-0275](#) RESOLUTION sponsored by the Board of Commissioners recognizing the 46th Annual Chicago Business Opportunity Fair
- A motion was made by Barbara J. McGowan, seconded by Mariyana T. Spyropoulos, that this Resolution be Adopted. The motion carried by acclamation. Chorus of ayes - No nays**
- 56 [13-0277](#) Issue a purchase order and enter into an agreement with Cray Huber Horstman Heil & VanAusdal, LLC to represent the District in connection with a dispute with Rausch Construction Company, Inc. on Contract 01-353-2M in an amount not to exceed \$370,000.00, Account 401-50000-601170, Requisition 1358616
- Approved**

Approval of the Consent Agenda with the exception of Items: 6, 21, 42, 49, 50, 52, 54 and 55

A motion was made by Debra Shore, seconded by Barbara J. McGowan, to Approve the Consent Agenda. The motion carried by the following roll call vote:

Aye: 9 - Michael A. Alvarez, Frank Avila, Barbara J. McGowan, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Kari K. Steele, Patrick D. Thompson, Kathleen Therese Meany

Meeting Summary

Speakers

Jorge Perez, Executive Director and Ivan Solis, Vice President, accepted the resolution recognizing the Hispanic American Construction Industry Association's 34th Annual Awards Banquet (Re: Miscellaneous and New Business Item #50)

Phillip Barreda, Executive Vice President, accepted the resolution recognizing the 46th Annual Chicago Business Opportunity Fair (Re: Miscellaneous and New Business Item #55)

Ben Paoletti, student at St. Paul of the Cross School, accepted the resolution recognizing St. Paul of the Cross School as First Place Winner of the Chicago Regional Future City Competition (Re: Miscellaneous and New Business Item #54)

Warren James, Vice President and Director, Wilmette Harbor Management, Inc.; Jim Dominik, President, Wilmette Harbor Association, Inc.; and Ross Adams, Sheridan Shore Sailing School, addressed the Board regarding the harbor lease (Re: Procurement Item #6)

Summary of Requests

David St. Pierre

1. Mariyana T. Spyropoulos questioned the spread of bids from District estimates, David St. Pierre suggested developing a scorecard to show actual spreads (Re: Procurement Item #20)

2. Mariyana T. Spyropoulos requested a breakdown on cost (Re: Engineering Item #34)

Study Session

Kevin Fitzpatrick will survey the board for a mutual date to schedule a Study Session on the hiring of interns.

Announcements

None

Board Letter Submission Dates

The next regular board meeting is scheduled for April 4, 2013, please prepare and submit Board items before the following absolute cutoff dates.

Date agenda items are due to the Director of Procurement and Materials Management for signature and preparation: March 22, 2013:

Date agenda items are due to the Executive Director for signature and preparation: March 26, 2013:

Date all agenda items are due to the Executive Director: 1:00 p.m., March 27, 2013.

Adjournment

A motion was made by Mariyana T. Spyropoulos, seconded by Barbara J. McGowan, when the Board adjourns, it adjourns to meet again on Thursday, April 4, 2013 at 10:00 a.m., and also move that today's meeting be adjourned. The motion carried by the following roll call vote: /s/ Jacqueline Torres, Clerk

Aye: 9 - Michael A. Alvarez, Frank Avila, Barbara J. McGowan, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Kari K. Steele, Patrick D. Thompson, Kathleen Therese Meany

APPROVAL:

In accordance with the provisions of 70ILCS 2605/4, each of the foregoing agenda items duly adopted by the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago this March 21, 2013, are hereby approved.

APPROVED:

/s/ Kathleen Therese Meany

President Board of Commissioners of the
Metropolitan Water Reclamation District of Greater Chicago

March 21, 2013